

## **REMARKS**

Claims 1 – 7, 9 – 17, 20, and 21 are in the application. Claims 1, 20, and 21 are currently amended; claims 2 – 7 and 9 – 17 were previously presented; and claims 8, 18, and 19 have been canceled. Claims 1, 20, and 21 are the independent claims herein. No new matter has been added.

Reconsideration and further examination are respectfully requested. This Corrected Amendment and Response includes markings to indicate all of the changes made to claims 1, 20, and 21 relative to immediate prior version of the claims (entered in the application by way of the Preliminary Amendment submitted with an RCE to the Office via EFS on September 30, 2008), as indicated in the Notice of Non-Compliant Amendment dated April 22, 2009.

### **Claim Rejections – 35 USC § 102**

Claims 1 - 7, 9 – 17, 20, and 21 were rejected under 35 U.S.C. 102(b) as being anticipated by Diacakis et al. U.S. Publication No. 2002/0116336, hereinafter "Diacakis". This rejection is traversed.

Regarding the rejection of claim 1, Applicant notes that claim 1 relates to a method including interfacing an identity oriented context application that represents a context of an identity based on an availability or state of the identity with a device oriented context application that determines an availability or state of a device associated with the identity, where the identity is a person or a group of persons; receiving a request to make a change to a new identity oriented context for an identity, wherein the new identity oriented context is associated with the identity and provides an availability status of the identity; mapping the new identity oriented context from the identity oriented application to a device oriented context application from the device oriented for a specific device associated with the identity, wherein the device oriented

context provides an availability or work status of the specific device; and providing data indicative of the mapped device oriented context to the device context oriented application.

Clearly, Applicant claims interfacing (1) an identity oriented context application with (2) a device oriented context application that determines on an availability or state of a device associated with the identity, where the identity is a person or a group of persons. That is, both an identity oriented context application is claimed and a device oriented context application is claimed. Applicant further claims mapping the new identity oriented context from the identity oriented application to a device oriented context from the device oriented application for a specific device associated with the identity, wherein the device oriented context provides an availability or work status of the specific device.

Applicant respectfully notes that claims 20 (reciting an article of manufacture) and claim 21 (reciting an apparatus) are worded similar to claim 1 regarding the claimed device oriented context application and mapping the identity oriented context to the device oriented context.

Applicant respectfully submits that the cited and relied upon Diacakis does not disclose or suggest, at least, the claimed device oriented context application that determines an availability of a device associated with the identity, and mapping the identity oriented context to the device oriented context.

Applicant notes that the Office Action states "presence engine [18 is] interpreted as device oriented context system since it determines user's presence on particular devices" as page 3 of the Office Action. As such, it appears that the Office admits that the Diacakis discloses a system that "determines user's presence on particular devices". This is in contrast to the claimed device oriented context application that determines an availability of a device. That is, Applicant's claimed method includes

detrerring the availability of a device whereas the alleged device oriented context application of Diacakis specifically discloses "determines user's presence".

Clearly, Diacakis does not disclose the claimed device oriented context application that determines an availability of a device. Therefore, it logically follows that the Diacakis fails to disclose the claimed aspect of mapping the new identity oriented context to a device oriented context for a specific device associated with the identity, wherein the device oriented context provides an availability status of the specific device.

Applicant further submits that it is clear that the claimed method of claim 1 includes both an identity oriented context application is claimed and a device oriented context application. Applicant submits that it is not seen where Diacakis discloses these two distinct applications.

Applicant respectfully submits that claims 1, 20, and 21 are not anticipated by Diacakis. Applicant further submits that claims 2 – 7 and 9 – 17 are patentable over Diacakis for depending from an allowable base claim.

Therefore, Applicant respectfully requests the reconsideration and withdrawal of the rejection of claims 1– 7, 9 – 17, 20, and 21 under 35 USC 102.

## CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

May 4, 2009  
Date

/Randolph P. Calhoun/  
Randolph P. Calhoun  
Registration No. 45371  
(203) 972-5985

SIEMENS CORPORATION  
**Customer Number: 28524**  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, New Jersey 08830

Attn: Elsa Keller, Legal Department  
Telephone: 732-321-3026